

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 03-4779

JAMES LEE FARMER,
Appellant

v.

HARRY E. WILSON, Warden;
BRADLEY FOULK, D.A.;
*TOM CORBETT, ATTORNEY GENERAL

*(Substituted Pursuant to Fed. R. App. P. 43(c))

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. Civil No. 02-cv-00017E)
District Judge: Honorable Sean J. McLaughlin

Submitted Under Third Circuit LAR 34.1(a)
September 17, 2007

Before: SLOVITER, SMITH and WEIS, Circuit Judges

JUDGMENT

This cause came on to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted under Third Circuit

LAR 34.1(a) on September 17, 2007.

On consideration whereof, it is now hereby ORDERED and ADJUDGED that the order of the District Court entered November 17, 2003, denying Farmer's petition for a writ of habeas corpus be, and the same is, hereby vacated and remanded for further proceedings consistent with this opinion. Costs taxed against Appellees. All of the above in accordance with the opinion of this Court.

Attest:

/s/ Marcia M. Waldron
Clerk

DATED: September 21, 2007

Certified as a true copy and issued in lieu
of a formal mandate on October 15, 2007.

Teste: *Marcia M. Waldron*

Clerk, United States Court of Appeals
for the Third Circuit